

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,)
Plaintiff,) CRIMINAL NO. 19-CR-3113 JB
vs.)
ROBERT PADILLA, a.k.a “Fat Head,”)
ROSE ANN ROMERO,)
JOHNATHAN VIGIL, a.k.a “Lil John,”)
ROBERT HOCKMAN, a.k.a “Tony,”)
MARCOS RUIZ, a.k.a “Mark,”)
LUIS SANCHEZ, a.k.a “Payaso,”)
ASHLEY ROMERO,)
TOMAS SANCHEZ, a.k.a “T.J.”)
AMANDA AILVA,)
SERGIO VALDEZ,)
GENEVIVE ATENCIO, and)
JANAYA ATENCIO,)
Defendants.)

MOTION TO ADOPT STIPULATED SCHEDULING ORDER

The parties request that the Court adopt the Stipulated Scheduling Order and state the following:

1. On October 21, 2019, the United States filed its Unopposed Motion Requesting Complex Case Designation for Speedy Trial Purposes and Vacation of Current Discovery Orders and Trial Setting. Doc. 111.
2. On October 29, 2019, the Court entered its Order Designating this Case as Complex. Doc. 121.
3. On January 9, 2020 all parties attend a scheduling conference. At that time, the Government informed the Court of the issue delaying the processing and delivery of discovery to

the Defense. With limited discovery, parties were reluctant to commit to scheduling order dates and timelines. The Court reset the scheduling conference for February 12, 2020, to allow the parties to receive and process discovery

4. On February 12, 2020, the Court held the scheduling conference, at which time all parties agreed to the dates which were deliberated in Court based on the information which the parties had at that time. Parties reserved their rights to raise issues with scheduling through motions dates set at the hearing.

5. On February 18, 2020, the defendants following the Court's request, filed their Defense Stipulation to Set Trial in April 2021. Doc. 176.

6. The parties have conferred and stipulated to the imposition of deadlines in this case in anticipation of the April 2021 trial date, and the Proposed Scheduling Order setting forth the stipulated deadlines has been submitted to the Court for approval.

7. The ends of justice will be served by the imposition of the agreed up deadlines in this case, which meet the current trial date of April, 2021, as stipulated to by the defendants in this case. *See* Doc. 176. Further, the parties recognize that the aforementioned stipulated deadlines coincide with the Court's Order Declaring this Case Complex, Doc. 121, which made the requisite findings that the complexity of this matter requires deadlines outside of the Speedy Trial Act. *See United States v. Hernandez-Mejia*, 406 F. App'x 330, 338 (10th Cir. 2011) (The Speedy Trial Act was intended not only to protect the interest of defendants, but was also 'designed with the public interest firmly in mind.'") (quoting *United States v. Toombs*, 574 F.3d 1262, 1273 (10th Cir. 2009).

WHEREFORE, for the foregoing reasons, the parties request the Court adopt the Proposed Scheduling Order that has been stipulated to by the parties.

Respectfully submitted by:

JOHN C. ANDERSON
United States Attorney

/s/ Filed Electronically 4/13/2020
ELAINE Y. RAMIREZ
Assistant United States Attorney
P.O. Box 607
Albuquerque, New Mexico 87103
(505) 346-7274

I hereby certify that the foregoing
pleading has been filed electronically
on April 13, 2020, which caused it to
be served on counsel of record.

/s/
ELAINE Y. RAMIREZ
Assistant United States Attorney